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FOURTH MEETING OF THE PARTIES TO THE  
MONTREAL PROTOCOL ON SUBSTANCES THAT  
DEplete THE OZONE LAYER

Copenhagen, 23-25 November 1992

NOTE BY THE EXECUTIVE DIRECTOR ON AMENDMENT TO THE  
MONTREAL PROTOCOL WITH RESPECT TO HBFCs AND HCFCs

1. The Executive Director has consulted with a small group of experts on the subject of control of HBFCs and HCFCs. The consultations resulted in the following conclusions:

(a) There are no known uses of HBFCs at present. They can, therefore, be phased out as early as possible in all countries. A provision may be made for essential uses, if any;

(b) The controls on HCFCs have to take into account the fact that HCFCs will be needed for some time for some applications in order to facilitate the phase-out of CFCs.

2. The following proposals are recommended for consideration by the Meeting of the Parties:

A. HBFCs

3. There should be a 100 per cent phase-out of production and consumption by 1 January 1996, with provision for essential use exemptions to be identified under the procedure set out in UNEP/OzL.Pro.4/10, paragraph 18.

4. There should be no grace period for Parties operating under Article 5, paragraph 1 of the Montreal Protocol.

B. HCFCs

1. Regulation on applications

5. The substance of the guidelines for using HCFCs, as set out in subparagraphs 1 (a) to 1 (c) of section II of the Resolution by the Governments and the European Communities represented at the Second Meeting of the Parties to the Montreal Protocol (see UNEP/OzL.Pro.2/3, annex VII) and as given below, should be incorporated into the text of the Protocol as an obligation, to take effect from 1 January 1996 for all Parties:

"(a) Use of transitional substances should be limited to those applications where other more environmentally suitable alternative substances or technologies are not available;

"(b) Use of transitional substances should not be outside the areas of application currently met by the controlled and transitional substances, except in rare cases for the protection of human life or human health;

"(c) Transitional substances should be selected in a manner that minimizes ozone depletion, in addition to meeting other environmental, safety and economic considerations;

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## *2. Reduction and phase-out schedule*

6. Each Party's annual calculated level of consumption of HCFCs should be limited, from 1 January 1996, to the sum of its calculated level of consumption of HCFCs in 1989 and [2-4]% of its calculated level of consumption of CFCs in 1989 (the Parties may agree on a single percentage figure).

7. Each Party's annual calculated level of consumption of HCFCs should be limited, from 1 January 2000, to 75 per cent of the calculated level of consumption permitted in paragraph 6 above.

8. Each Party's annual calculated level of consumption of HCFCs should be limited, from 1 January 2010, to 50 per cent of the calculated level of consumption permitted in paragraph 6 above.

9. Each Party's consumption of HCFCs should be eliminated by 1 January 2020.

10. The basis, initial levels, reduction schedules and phase-out date for consumption of HCFCs, applicable to Parties operating under Article 5, paragraph 1, should be considered for possible decision by the Parties at their meeting in 1995. (This is proposed as there will be greater clarity in 1995 than at present regarding the needs of developing countries for HCFCs).

## *3. Control of trade with non-Parties*

11. The applicability to HCFCs of the provisions of Article 4, regarding the control of trade with non-Parties, should be decided by the Parties at their Meeting in 1995, perhaps for incorporation as an Annex to the Protocol.

## *4. Decisions that need to be taken*

12. The Executive Director further recommends that the Meeting of the Parties consider the following draft decisions for adoption:

(a) To request the Technology and Economic Assessment Panel to identify the applications for HCFCs which are covered by the regulation on the applications for CFCs and to submit its recommendations, through the Secretariat, to the Open-Ended Working Group of the Parties to the Montreal Protocol by 31 March 1994;

(b) To request the Open-Ended Working Group to consider the report of the Technology and Economic Assessment Panel with respect to HCFCs; to consider the possible need for specific provisions for the implementation of the regulation on the applications for the HCFCs, taking into account the special circumstances of Parties operating under paragraph 1 of

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Article 5; and to make any appropriate recommendations for consideration by the Parties at their meeting in 1994 and following subsequent reviews taking place under Article 6;

(c) To ensure that, notwithstanding the new status of HCFCs as controlled substances, the incremental costs to Parties operating under paragraph 1 of Article 5 of making the transition from CFCs to HCFCs consistent with the regulation on the applications for HCFCs will continue to be met by the Fund and to request the Executive Committee to function in the light of this decision;

(d) To request the Executive Committee to estimate, on an ongoing basis, the amount of HCFCs required by Parties operating under paragraph 1 of Article 5 and to recommend the methods of meeting such needs in full, simultaneously with the exercise to estimate the amounts of controlled substances needed, as requested by the Open-Ended Working Group at its seventh meeting.

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